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DOT/TASC/GOVT. AFFAIRS

Docket Number

FMCSA-2002-13295-

COMMITTEES:

ENERGY AND COMMERCE

213088

ENERGY AND AIR QUALITY

COMMERCE, TRADE, AND CONSUMER
PROTECTIONENVIRONMENT AND HAZARDOUS
MATERIALS

RESOURCES

WATER AND POWER



Congress of the United States

House of Representatives

January 16, 2003

Joseph M. Clapp, Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
400 7th Street SW
Washington DC 20590

FMCSA-2002-13295-14

Dear Administrator Clapp:

I would like to once again requests that you give all due consideration to an application for exemption from 49 CFR Parts 393 and 396, that was filed by the Oregon Department of Transportation (ODOT).

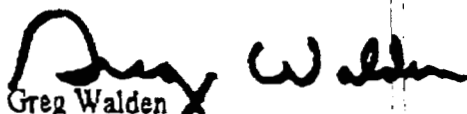
Since 1978, Oregon statute has exempted farm vehicles weighing less than 80,000 pounds and engaging in interstate commerce from certain safety regulations. In Oregon, most farm trucks are small, single-axle trucks (less than 10,000 lbs) and are used exclusively for harvest on secondary rural roads. It is my understanding that in 2000, the Federal Motor Carrier Safety Administration (FMCSA) notified the State of Oregon that future agency grants funds would be in jeopardy unless this exemption in state law was repealed for farm vehicles.

Oregon's agricultural industry has suffered serious economic hardships in recent years. Many farmers have expressed concern that farm products hauled in Oregon could fall under the category of interstate commerce, forcing farmers to bear additional economic burdens to satisfy the federal regulations.

It is my understanding that the Transportation Equity Act for the 21st Century provides the Department of Transportation with the authority to waive its regulatory responsibilities over this aspect of interstate commerce in instances where the state can meet specific criteria. ODOT's application requests such an exemption and cites Oregon's regulations that already govern all trucks and cover basic parts and accessories such as brakes, lights, tires, emissions and exhaust systems.

I appreciate your attention to this matter and ask that ODOT's application for exemption is given all due consideration.

Best regards,


Greg Walden
Member of Congress

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DEPT OF TRANSPORTATION